

## Remarks

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-116 are pending in the application. Claims 1, 23, 45, 53, 63, 77, 84, 89, 91, 105, 110, and 115 are independent.

In the Official Action, the Examiner has rejected claims 1 to 116 under the judicially created doctrine of double patenting over claims 1 to 26 of U.S. Patent No. 6,741,267. Applicant submits concurrently herewith a Terminal Disclaimer in compliance with 37 CFR 1.321(c). Accordingly, Applicant respectfully requests that this objection be removed.

With respect to prior art, the Examiner has rejected claims 1 to 104, 115 and 116 under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 5,581,243 to Ouellette et al. ("Ouellette"). The Examiner is alleging that the Applicant's invention as defined by these claims is clearly disclosed by Ouellette. Claims 105 to 114 have been rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Ouellette in view of U.S. Patent No. 5,448,263 to Martin ("Martin"). The Examiner is alleging that the Applicant's invention as defined by these claims would be obvious to one of ordinary skill in the art in view of the teachings of Ouellette and Martin. Applicant respectfully submits that the Examiner's objections in view of the cited references are inappropriate for the reasons set forth below.

In one aspect of the Applicant's invention as defined by independent claim 1, Applicant provides a computing device running on a multitasking operating platform including an active application having input focus and a user input keyboard application. The computing device comprises a touch sensitive panel, a user input keyboard window displayed on the touch sensitive panel and an active application window displayed on the touch sensitive panel. *User input generated in response to user contact within the keyboard window is forwarded to the active application without input focus shifting to the keyboard window.*

For background, in a typical Windows®-based environment, when an event is generated in response to contact within a displayed window, the contacted window is given input focus and becomes active. Prior to the Applicant's invention, using an on-screen keyboard to provide output to an active application in this environment was impractical. When the keyboard window was contacted, input focus would shift to the keyboard window requiring input focus to be shifted back to the active application. Handing back of input focus from the keyboard application to the active application each time the on-screen keyboard was contacted caused ugly flickering and weird side effects in certain applications programs.

Ouellette discloses a method and apparatus for displaying a simulated keyboard on a touch sensitive display. The keyboard is superimposed on the touch sensitive display but does not occlude from view, image output of an application being run on the computer. This is achieved by causing the display to, generate and refresh in alternation and repeatedly, the application image and the simulated keyboard image. The application image is displayed at a different luminous radiation intensity level than the simulated keyboard image.

Figure 11 of Ouellette shows a SPECIAL-ACTIVE routine that is invoked whenever a toggle full button is pressed. When invoked the SPECIAL-ACTIVE routine determines whether or not to display the keyboard on the screen. When the keyboard is to be displayed, the keyboard is displayed in the bottom half of the screen. The SPECIAL-ACTIVE routine then checks to determine if the keyboard is active. If the keyboard is active, a refresh display routine is called that controls painting of the screen so that the keyboard appears in phantom.

During executing of the refresh display routine, the refresh display routine follows either a right or left branch. If the keyboard is not active, the left branch is followed. During this branch, the display output from the application program is painted on the screen. As a result, the keyboard application is not displayed. If the right branch is followed, the display output from the application program and the phantom keyboard are painted on the screen.

As will be appreciated, the function of the SPECIAL-ACTIVE routine is to ensure the computer only presents the display output of the active application program on the screen if the keyboard is not active and presents the display output of the active application program together with the phantom keyboard on the screen if the keyboard is active. The SPECIAL-ACTIVE routing has nothing to do with controlling the output of the keyboard application so that input focus does not shift to the keyboard when the keyboard is touched. Rather, this routine simply ensures the keyboard is visible on the screen in phantom when it is active (i.e. it has been turned on in response to a user actuating the toggle full screen button).

Martin discloses an interactive display system that includes a touch sensitive surface for sensing pressure applied thereto and in response generating control signals indicating locations of the applied pressure. A personal computer receives the control signals and in response generates graphic images. An LCD panel in combination with an overhead projector receive and project the graphic images onto the touch sensitive surface. The computer executes one or more application programs in a multi-tasking environment and includes a driver for

receiving the control signals from the touch sensitive surface. In response, the driver generates a command to a selected one of the application programs for updating the displayed graphic images.

Neither Ouellette nor Martin either alone or in combination teaches or suggests inhibiting a keyboard application from gaining input focus when a user contacts the touch sensitive panel within the keyboard window. Martin simply shows an electronic writeboard and is silent as regards a keyboard displayed on the touch sensitive display panel within a keyboard window.

The cited prior art references do not address the input focus shifting problem solved by the Applicant's invention nor do they teach or suggest a solution to the problem. The references either alone or in combination therefore do not lead one of ordinary skill in the art to or result in the Applicant's invention as alleged by the Examiner. Accordingly, Applicant respectfully submits that independent claim 1 distinguishes patentably over the cited references and should be allowed. As claims 2 to 22 are dependent either directly or indirectly on independent claim 1, which is deemed allowable, Applicant respectfully submits that these claims should also be allowed.

According to another aspect of the Applicant's invention as defined by independent claim 23, Applicant provides a computing device running on a multitasking operating platform including an active application having input focus and a user input keyboard application. The computing device comprises a touch sensitive panel, a user input keyboard window displayed on the touch sensitive panel and an active application window displayed on the touch sensitive panel. ***User input generated in response to user contact within the keyboard window is forwarded to the active application with the active application retaining input focus during generating and receiving of the user input.***

As mentioned above, the cited prior art references do not address the input focus shifting problem solved by the Applicant's invention nor do they teach or suggest a solution to the problem. Accordingly, Applicant respectfully submits that independent claim 23 distinguishes patentably over the cited references and should be allowed. As claims 24 to 44 are dependent either directly or indirectly on independent claim 23, which is deemed allowable, Applicant respectfully submits that these claims should also be allowed.

According to another aspect of the Applicant's invention as defined by independent claim 45, Applicant provides in a computing device having a touch sensitive panel

on which an on-screen keyboard is displayed within a window, and running on a multitasking operating platform, a method of managing data input. During the method, user contact on the touch sensitive panel is detected. Data generated in response to contact on the touch sensitive panel outside of the on-screen keyboard window is forwarded to the computing device for processing. Data generated in response to contact on the touch sensitive panel within the on-screen window is forwarded to an active application and a shift in input focus from the active application to the on-screen keyboard is inhibited.

Applicant respectfully submits that this claim distinguishes patentably over the cited references for the same reasons set forth above. As claims 46 to 52 are dependent either directly or indirectly on independent claim 45, which is deemed allowable, Applicant respectfully submits that these claims should also be allowed.

Independent claims 53, 63, 77, 84, 89, 91, 105, 110 and 115 are also believed to distinguish patentably over the cited references for the same reasons set forth above. As claims 54 to 62 are dependent either directly or indirectly on independent claim 53, which is deemed allowable, Applicant respectfully submits that these claims should also be allowed. As claims 64 to 76 are dependent either directly or indirectly on independent claim 63, which is deemed allowable, Applicant respectfully submits that these claims should also be allowed. As claims 78 to 83 are dependent either directly or indirectly on independent claim 77, which is deemed allowable, Applicant respectfully submits that these claims should also be allowed. As claims 85 to 88 are dependent either directly or indirectly on independent claim 84, which is deemed allowable, Applicant respectfully submits that these claims should also be allowed. As claim 90 is dependent directly on independent claim 89, which is deemed allowable, Applicant respectfully submits that this claim should also be allowed. As claims 92 to 104 are dependent either directly or indirectly on independent claim 91, which is deemed allowable, Applicant respectfully submits that these claims should also be allowed. As claims 106 to 109 are dependent either directly or indirectly on independent claim 105, which is deemed allowable, Applicant respectfully submits that these claims should also be allowed. As claims 111 to 114 are dependent either directly or indirectly on independent claim 110, which is deemed allowable, Applicant respectfully submits that these claims should also be allowed. As claim 116 is dependent directly on independent claim 115, which is deemed allowable, Applicant respectfully submits that this claim should also be allowed.

In view of the above remarks, it is believed that this application is now in condition for allowance, and a Notice thereof is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3507. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
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